

**Series II**  
**Subjects Files,**  
**1916-1973**

**Box 11, Folder 7**

**April 1949 -**  
**July 1958**

0237

# United States Pacific Fleet

## Flagship of the Commander-in-Chief



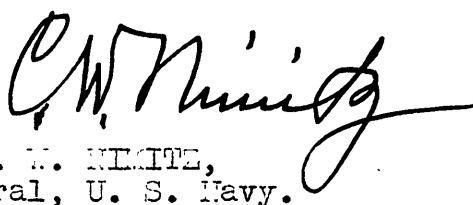
In the name of the President of the United States, the Commander in Chief, United States Pacific Fleet, takes pleasure in presenting the LEGION of MERIT to

CAPTAIN RICHARD W. BATES, UNITED STATES NAVY

for service as set forth in the following

### CITATION:

"For exceptionally meritorious conduct in the performance of outstanding service as Commanding Officer of the U.S.S. MINNEAPOLIS during the period 19 July 1943 to 7 April 1944. He participated in the assault and capture of the Gilbert Islands (Makin Group), 20-24 November 1943; the raid on Kwajalein, Marshall Islands, 4-5 December 1943; the bombardment of Taroa Island, Marshall Islands, 30 January 1944; the assault and capture of the Kwajalein Group, Marshall Islands, 31 January to 5 February 1944; the assault on Truk, Caroline Islands, 16-17 February 1944; the assault on Saipan and Tinian, Marianas Islands, 22 February 1944; and the assault on Yap, Woleai, and Palau Islands, 30 March to 1 April 1944. Throughout all these actions he handled and fought his ship in a courageous and skillful manner and his performance of duty contributed materially to the success of our forces in these engagements with the enemy. His exemplary leadership was an inspiration to his subordinates and in keeping with the highest traditions of the naval service."

  
C. W. NIMITZ,  
Admiral, U. S. Navy.

Classified  
Temporary Citation

0238

# United States Pacific Fleet

Flagship of the Commander-in-Chief



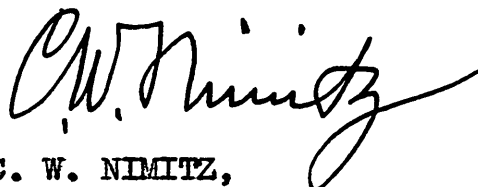
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C. W. NIMITZ,  
Admiral, U.S. Navy.

Non - Classified Temporary Citation

0239

Refer to No.

Pers-325-TBD/aeg  
9027

NAVY DEPARTMENT  
BUREAU OF NAVAL PERSONNEL  
WASHINGTON 25, D. C.

From: Chief of Naval Personnel.

To: Captain Richard W. Bates, USN  
Naval War College  
Newport, Rhode Island.

Subj: Retirement by Reason of Non-Selection for Promotion.

1. The Secretary of the Navy recently appointed a board pursuant to the provisions of Public Law 381, 80th Congress, to recommend officers serving in the rank of Captain for selection to the grade of Rear Admiral.
2. At the direction of the Secretary of the Navy, it is my duty to advise you that the board did not recommend you for promotion. I regret to inform you, therefore, that the law requires that you be placed on the retired list on 30 June 1949.
3. In the event that you may request voluntary retirement or your physical condition is such that you may be eligible for retirement by reason of physical disability, you are advised that final action on either of these forms of retirement must be completed prior to the date of your scheduled involuntary retirement. Inasmuch as retiring board proceedings require approximately three months for processing, it is suggested that you take steps to have a determination made of your physical condition at the earliest opportunity.

*W. S. Gray*

0240

(5-3-48)

NAVAL WAR COLLEGE  
Newport, R.I.

4/29/49

(Date)

MEMORANDUM TO:

Captain R. W. Bates, USN

(Name and rank of officer being detached)

1. Prior to the detachment of officers from the Naval War College, they should comply with the following procedure:

Checked by  
Head of Section

At Chief Clerk's Office:

(a) Turn in Naval War College auto tags

(b) Turn in 3 signed copies of "Notice of Change of Address"

(c) Turn in dependents' identification buttons and passes

(d) Turn in Commissary Store Permit Cards

(e) Interim address after leaving War College and before reporting at new station:

12 MT VERNON STREET  
NEWPORT, R.I.

NONE

NONE

At Academic Publications and Issuing Center, Room 206:

Turn in all material drawn therefrom

Library: Turn in all books and periodicals drawn therefrom

Archives: Turn in all material drawn therefrom

Maneuver Section: Turn in drawing instruments, etc.

Typewriters: Typewriters will be picked up in your office by personnel from the Administrative Department who will at that time deliver to you your custody receipt.

(a) This operation will take place 14 May, beginning at 0830.

(b) Should you desire to turn in your typewriter earlier, this may be done by contacting the Secretary, Phone 403, and the typewriter will be picked up.

2. The head of each section will initial in the appropriate space when all material charged to the addressee has been returned to that particular section.

3. The addressee will return this memorandum to the CHIEF CLERK'S OFFICE upon completion of the foregoing IN ORDER TO RECEIVE ORIGINAL ORDERS.

*Allan E. Smith*  
ALLAN E. SMITH  
Rear Admiral, USN  
Chief of Staff

The above requirements have been complied with:

(Signature of addressee)

(Date)

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Pers-325-dct  
9027

NAVY DEPARTMENT  
BUREAU OF NAVAL PERSONNEL  
Washington 25, D.C.

8 March 1949

From: Chief of Naval Personnel.

To : Captain Richard Waller Bates, USN.

Via: President,  
Naval War College,  
Newport, Rhode Island.

Subj: Retirement.

1. The Naval Retiring Board which recently convened in your case has decided that you are incapacitated for active service by reason of physical disability incurred in line of duty.
2. The Bureau of Naval Personnel has recommended to the Department that the report of the board be submitted to the Secretary for his action in such time that, if approved, your retirement will be effected on 1 May 1949.
3. Please furnish the Disbursing Officer having custody of your pay record two certified copies of this letter.
4. It is probable that official notice of the action will not reach you until some time subsequent to the date stated in paragraph two hereof.

/s/ T. B. Dabney

T. B. Dabney,  
By direction.

CC:  
Medical Officer in Command  
U. S. Naval Hospital,  
Newport, Rhode Island  
(For Disbursing Officer)

CERTIFIED A TRUE COPY

Captain R. W. Bates, USN

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## INFORMATION CONCERNING YOUR RETIRED PAY

1. The following information is furnished to assist in establishing your retired pay account correctly and at the earliest possible date. Retired pay checks are normally placed in the mail on the last day of each month. However, the initial check may be mailed a few days later in the event that the required documents are received at the Field Branch, Bureau of Supplies and Accounts, subsequent to certain monthly "cut-off" dates.
2. Four certified copies of the orders releasing you from active duty, together with all endorsements, should be furnished immediately after the completion of the last endorsement, to the disbursing officer carrying your active duty pay account. In addition, you should advise him of your mailing address for retired pay check.
3. If you are retired because of physical disability incurred on active duty, your retired pay will be tax exempt under the provisions of current tax laws. If not retired for physical disability incurred on active duty, your retired pay will be subject to withholding tax, and accordingly, Treasury form W-4 should be completed and furnished to the disbursing officer carrying your active duty pay account at the same time you furnish the mailing address mentioned above. In the event that Treasury form W-4 is not readily available, you should advise your disbursing officer of the number of exemptions which you wish to claim and he will forward that information to the Special Payments Division in order that your retired account may be established without delay. At a later date the Special Payments Division will request that you complete the official Treasury W-4 certificate.
4. Shortly subsequent to the effective date of your retirement, you will receive a SecNav letter advising that you have been placed on the retired list. Two copies of such SecNav letter should be certified as true copies and be forwarded to the Special Payments Division without delay in order that the records for your retired pay account may be completed.
5. If at any time there is delay in the receipt of your retired pay check, you should write directly to:

Bureau of Supplies and Accounts,  
Field Branch (Special Payments Division),  
Navy Department,  
Cleveland 14, Ohio

That office should at all times be kept informed of your current address to be used for the mailing of monthly checks and various notices.

0243

September 16, 1946

Memorandum concerning the legality of retired naval officers holding civil offices under Federal, State, or Territorial government or employment with private concerns doing business with the Government.

The usual cases of employment of retired officers are covered in this memorandum, which is furnished for information only. The applicable statutes should be referred to in any particular case.

The question as to whether a retired officer may legally accept a civil appointment and still hold his position on the retired list is one of private concern only and not a subject with which the United States can concern itself until some action has been taken by the retired officer. The obvious course for any retired officer called upon to determine that question is to seek the advice of private counsel, since it is one strictly of private concern and in no sense of public interest. (Attorney General's opinion, March 26, 1897, 21 Op. Atty Gen. 510.)

Under this opinion of the Attorney General, it is not for the Navy Department to decide in any particular case whether the prospective employment of a retired officer would come within the prohibition of any statute.

Unless otherwise provided by law, retired officers in receipt of retired pay are prohibited from holding a civilian position or office with the Federal Government where either the rate of retired pay or the rate of compensation fixed for the civilian position or office amounts to \$2500 per annum unless (1) elected thereto, or (2) appointed by the President with Senate confirmation, or (3) retired because of battle injuries or incapacities incurred in line of duty. (5 U. S. Code, sec. 62; 13 Comp. Gen. 30; 21 Comp. Gen. 1129). Retired officers receiving retired pay in excess of \$2500 per annum may not avoid the application of the foregoing statutory prohibition by retaining their retired office and waiving their retired pay during occupancy of the civilian position or office. (14 Comp. Gen. 289.)

The restriction upon employment discussed in the previous paragraph does not preclude the employment of retired officers of the Navy to engage in work under the direction of the Chief of Engineers of the United States Army in connection with the improvement of rivers and harbors of the United States. (5 U. S. Code, 63.) Nor is there any prohibition against the appointment of retired officers of the Navy to positions in the Library of Congress or to positions as Director or

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Assistant Director of the Bureau of the Budget. (5 U. S. Code, secs. 64, 65; 31 U. S. Code, sec. 16.) Retired officers of the Navy may accept appointments to positions in the diplomatic or consular branches of the Foreign Service of the United States (34 U. S. Code, sec. 226) and appointments to positions in the Veterans Administration. (Act of 10 August 1946 - Public Law 718 - 79th Congress.)

Although a retired officer of the Navy may be eligible for employment in a Federal civilian position, he will, upon acceptance of such position, be subject to the dual compensation statute (5 U. S. Code, sec. 59a), which limits the aggregate income from a Federal civilian position, whether elective or appointive, and retirement pay, to an amount not to exceed \$3000 per annum. For discussion, see paragraph 2, page 3.

Naval appropriations are not available for the pay of any officer on the active list who is employed by any person or company furnishing naval supplies or war material to the Government, and any such employment would be unlawful; nor are naval appropriations available for the pay of any retired officer who for himself or for others is engaged in selling or contracting or negotiating for the sale of naval supplies or war material to the Navy or to the Navy Department. (Act of June 10, 1896, 29 Stat. 361, as amended by sec. 9, Act of July 22, 1955, 49 Stat. 490; 34 U. S. Code, sec. 883.)

Persons or firms that furnish plans, specifications, designs or drawings for the Navy "are commonly understood as being engaged in the furnishing of professional services, and clearly professional services are not 'naval supplies or war materials' within the accepted meaning of that term". (Comp. Gen. B-12238, Nov. 7, 1940.)

Under sections 41 and 109, Criminal Code, a retired officer is forbidden to represent the United States in the transaction of business with companies or firms in which he has a direct or indirect pecuniary interest or to assist in the prosecution of claims against the United States. (Act of Mar. 4, 1909, 35 Stat. 1097, 1107; 18 U. S. Code 93, 198.)

Retired officers while not on active duty are permitted to receive compensation for services rendered to or in behalf of any person, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party or directly or indirectly interested, before any department, court-martial, bureau, officer, or any civil, military, or naval commission, provided he does not represent any person in the sale of anything to the Government through the department in whose service he holds a retired status. (Sec. 113, Criminal Code, Act of Mar. 4, 1909, 35 Stat. 1109, as amended by Act of October 3, 1940; 18 U. S. Code 203.)

Section 27 of the Surplus Property Act of 1944, approved October 3, 1944 (58 Stat. 765, 781); provides that "No person employed by any Government agency, including commissioned officers assigned to duty in such agency, shall, during the period such person is engaged in such employment or service, or for a period of two years after the time when such employment or service has ceased, act as counsel, attorney, or agent or be employed as representative, in connection with any matter involving the disposition of surplus property by the agency in which such person was employed, if such person during his employment with such agency ratified, approved, or authorized the disposition of any surplus property pursuant to the provisions of this Act or recommended any such approval, authorization, or ratification as part of his official duties. Any person violating the provisions of this section shall be fined not more than \$10,000, or imprisoned for not more than one year, or both."

Where a retired officer has qualified for and accepted appointment to a civilian office or position under the Federal Government or the municipal government of the District of Columbia, or under any corporation the majority of the stock of which is owned by the United States, the combined rate of his compensation in such civilian office or position and his retired pay for or on account of commissioned services is limited by law to \$3,000 per annum, but if the retired rate of pay exceeds \$3,000, then the retired officer can only receive one pay and must therefore elect whether he will continue to receive his retired pay or the pay of the civilian office or position. Should he give up his retired pay while holding a civil office or position, he may again receive his retired pay when he relinquishes his civilian office or position. (Act of June 30, 1932, sec. 212, 47 Stat. 406, as amended by Act of July 15, 1940, sec. 3, 54 Stat. 761; 5 U. S. Code, sec. 59a.) An officer receiving retired pay of \$2,900 per annum and employed in a civilian office or position with a salary of \$2,800 per annum would be paid at a net rate of \$3,000 per annum. (12 Comp. Gen. 37, 47.)

The inhibition of subparagraph (a) of section 212, Act of June 30, 1932, supra, limiting the combined rate of compensation to \$3,000 per annum, "is not against the retaining of the retired status but is that 'no person holding a civilian office \*\*\*shall be entitled, during \*\*\* as a commissioned officer.' Also, that the right of election given under the statute is not as to whether he shall continue to hold the civilian office or position or to continue to hold his retired status, but is as to whether he shall accept the pay of the one or the pay of the other." (Comp. Gen. Aug. 9, 1932, A-43761.)

Commissioned officers who have been "retired for disability incurred in combat with an enemy of the United States", or pursuant to the Act of July 15, 1940 (54 Stat. 761; 38 U. S. C., Sec. 582b) "for disabilities

resulting from an explosion of an instrumentality of war in line of duty during an enlistment or employment as provided in Veterans Regulation Numbered 1(a), part I, paragraph I", are excepted from the requirements of said section 212. The first quoted clause has been defined by the Comptroller General to apply to officers "retired for disability the direct result of injury from the instrumentalities of war employed by the enemy in combat with the forces of the United States," as, for example, where the disability necessitating retirement was directly due to inhaling poison gas during combat with an enemy of the United States. (Comp. Gen., Jan. 3, 1933, A-44756.)

Reserve officers, while employed on active duty, may be paid compensation by any person, firm, or corporation, provided that, prior to commencement of active duty, they were receiving compensation from such person, firm, or corporation. (Selective Training and Service Act of 1940, sec. 3(f), approved Sept. 16, 1940, 54 Stat. 887; 50 U. S. C. War, Appendix, sec. 303.)

#### EMPLOYMENT IN FIRMS DOING BUSINESS WITH THE FEDERAL GOVERNMENT

##### OPINIONS

The Judge Advocate General has rendered advisory opinions as to what employment a retired officer of the Navy may legally accept with private firms doing business with the Government. Some of these opinions are as follows: A retired officer may be employed by the merchant marine; by a steamship company having mail contracts with the Government and by a steamship company enjoying certain Government loans for the construction of its ships. It was pointed out that the foregoing was a very general statement of the law on the subject and "would very possibly require exceptions or modifications to meet the facts of specific cases as they arise." (C.M.O. 2-1931, 14.) A retired officer may not participate in bids for subscriptions to magazines for vessels of the Navy under "Welfare and Recreation", one of the regular appropriations for the naval service. (C.M.C. 2-1935, 25.) In time of peace a retired officer may be employed under contract by the Navy Department as consultant. "While the Judge Advocate General is of the opinion that a contract for a retired officer's services under the above-stated conditions would be legal, there are decisions of the Comptroller General which would appear to hold to the contrary." (C.M.C. 11-1937, 27.) A retired officer may be employed on merchant vessels entering ports of belligerent countries. (C.M.O. 2-1939, 276.) The Neutrality Act, approved Nov. 4, 1939, made such employment unlawful until 4:30 p.m. E.S.T., Nov. 17, 1941, at which time, those sections of the Neutrality Act making such employment unlawful were repealed. A retired officer may not accept an office from a foreign

government without the consent of Congress in view of Article I, Section 9, clause 8, of the Constitution. (C.M.O. 3-1934, 13.) He may not accept employment with a foreign government, (C.M.O. 1-1942, 258) nor may he be employed in the armed forces of a foreign state. (C.M.O. 4-1942, 116.)

The question of whether the treasurer of a corporation, a retired officer, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Navy or the Navy Department, any naval supplies or war material within the statute (Act of June 10, 1896, as amended, supra) is one of fact not for consideration by the Judge Advocate General. (C.M.O. 5-1939, 9.) The question of the legality of the appointment of a retired officer as a member of a local board is primarily one for determination by the appropriate Selective Service authorities. (C.M.O. 1-1941, 186.) The Navy Department has not issued and does not contemplate the issuance of rules and regulations relative to the practice of law by retired officers before Government agencies. (C.M.O. 1-1941, 179.) A retired officer may be required to perform jury duty by a state provided he is not performing Federal service which would be interfered with or obstructed by jury duty. (C.M.O. 1-1944, 118.)

"There is no general law which makes it illegal for a company in which a Government official is a stockholder and an officer to bid on and receive Government contracts for services or supplies from a department other than the one in which the official is functioning." (1929 L.R.N.A. 384.) There is no legal objection to a firm, owned by a retired officer of the Naval Reserve who is on the honorary retired list of the Naval Reserve without pay, bidding on a Navy contract for the sale of medical supplies to the Navy. (C.M.O. 3-1943, 101.)

A retired officer may enter into contracts for the purchase of Navy Surplus materials. "However, aside from any statutory prohibition, contracts between the Government and its employees are open to criticism, possible favoritism and preferential treatment; and this office (Comptroller General) often has expressed the view that such contracts should not be made except for the most cogent reasons." (C.M.O. 1-1944, 200. See also C.M.O. 2-1938, 181 and footnote 32 same case.)

Section 9 of the Hatch Act (18 U. S. Code 61h) which restrains political activities of any person or officer employed in the executive branch of the Federal Government does not apply to retired officers of the Army and Navy. (C.M.O. 2-1939, 284; Justice ltr to Capt. G. M. Adey, USN, Ret., Oct. 3, 1939; Atty. Gen. ltr to SecNav., Apr. 26, 1940, Navy Dept. File OR/P9-1(390109).) The Surplus Property Act of 1944 (50 U. S. Code, War Appendix, Supp. V, 1636) is applicable to retired officers of the Navy. (C.M.O. 3-1945, 135.) Accordingly, retired officers of the Navy who have been assigned to a Government agency or department and who, during such assignment, have certified, approved or authorized the disposition of surplus property may not for a period of two years after the

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termination of such assignment act in any representative capacity in connection with the disposition of surplus property by the agency to which he had been so assigned.

#### EMPLOYMENT BY FOREIGN FIRMS

In addition to the foregoing statutory restrictions on the civil employment of retired officers they must also govern themselves by the terms of Executive Order Number 5221 of November 11, 1929, which provides as follows:

"It is hereby ordered that no officer or employee in the executive branch of the United States Government, regardless of whether he is on annual leave or leave without pay, shall be employed with or without remuneration by any foreign corporation, partnership, or individual that is in competition with American industry."

O. S. COLCLOUGH  
Judge Advocate General of the Navy

0249

NC3/P19-2/473-49/P:z  
Naval War College  
Newport, R. I.

1st End on BuPers ltr Pers-325-dot  
9027 dtd 8 Mar 1949

14 March 1949

From: President, Naval War College  
To: Captain Richard Waller Bates, USN

Subj: Retirement

1. Delivered with regret.

*D. B. Beary*  
D. B. BEARY

0250

## PRIVILEGES AND OBLIGATIONS OF A RETIRED OFFICER

The privileges and obligations of a retired officer are the same for all categories of officers retired with pay with the single exception that officers retired for medical reasons are at present not required to pay income tax on retired pay. This is in accordance with the Internal Revenue Code Amendment of 1942, U. S. Code, Title 26, section 22(b)5, as amended.

Retired officers are accorded the same privileges of the Commissary Store, Ship's Service, and Officer's Clubs as provided an officer on active duty and attached to the station in which the facilities are located.

Army regulations provide that personnel of the Navy and Marine Corps, active and retired, may be extended the privileges of the Commissary Store and the Post Exchange. However, the privileges are subject to control of the Commanding Officer of the Post where located but are usually extended unless sufficient facilities are not available.

Retired officers are entitled to medical and dental attention. Legal dependents of retired officers are eligible for medical assistance dependent upon facilities available in the area in which they reside.

Retired officers are not required to hold themselves in readiness. They may be ordered to active duty in time of war at the pleasure of the Chief but may be ordered to active duty in time of peace, only subject to consent of the officer.

Retired officers are authorized to wear civilian clothes between the date of appearance before a Naval Retiring Board and date of retirement. Retired officers and retired enlisted personnel, not on active duty, shall be entitled to wear the prescribed uniforms of the rank or rating held on the retired list when the wearing of the uniform is appropriate. They are prohibited from wearing the uniform in connection with non-military, civilian, or personal enterprises or activities of a business nature. Retired personnel in an inactive duty status in a foreign country shall not wear the uniform except when attending, by formal invitation, ceremonies or social functions at which the wearing of the uniform is required by the terms of the invitation or by the regulations or customs of the country. If the retired officers and enlisted personnel are ordered to duty, they shall wear the uniform prescribed for officers and enlisted personnel respectively, on active duty. If they accept employment with a military school, authority is granted on specific request to the Chief of Naval Personnel.

0251

September 16, 1946

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Under this opinion of the Attorney General, it is not for the Navy Department to decide in any particular case whether the prospective employment of a retired officer would come within the prohibition of any statute.

Unless otherwise provided by law, retired officers in receipt of retired pay are prohibited from holding a civilian position or office with the Federal Government where either the rate of retired pay or the rate of compensation fixed for the civilian position or office amounts to \$2500 per annum unless (1) elected thereto, or (2) appointed by the President with Senate confirmation, or (3) retired because of battle injuries or incapacities incurred in line of duty. (5 U. S. Code, sec. 62; 13 Comp. Gen. 60; 21 Comp. Gen. 1129.) Retired officers receiving retired pay in excess of \$2500 per annum may not avoid the application of the foregoing statutory prohibition by retaining their retired office and waiving their retired pay during occupancy of the civilian position or office. (14 Comp. Gen. 289.)

The restriction upon employment discussed in the previous paragraph does not preclude the employment of retired officers of the Navy to engage in work under the direction of the Chief of Engineers of the United States Army in connection with the improvement of rivers and harbors of the United States. (5 U. S. Code, 63.) Nor is there any prohibition against the appointment of retired officers of the Navy to positions in the Library of Congress or to positions as Director or

0252



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Although a retired officer of the Navy may be eligible for employment in a Federal civilian position, he will, upon acceptance of such position, be subject to the dual compensation statute (5 U. S. Code, sec. 59a), which limits the aggregate income from a Federal civilian position, whether elective or appointive, and retirement pay, to an amount not to exceed \$3000 per annum. For discussion, see paragraph 2, page 3.

Naval appropriations are not available for the pay of any officer on the active list who is employed by any person or company furnishing naval supplies or war material to the Government, and any such employment would be unlawful; nor are naval appropriations available for the pay of any retired officer who for himself or for others is engaged in selling or contracting or negotiating for the sale of naval supplies or war material to the Navy or to the Navy Department. (Act of June 10, 1896, 29 Stat. 361, as amended by sec. 9, Act of July 22, 1935, 49 Stat. 490; 34 U. S. Code, sec. 883.)

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Under sections 41 and 109, Criminal Code, a retired officer is forbidden to represent the United States in the transaction of business with companies or firms in which he has a direct or indirect pecuniary interest or to assist in the prosecution of claims against the United States. (Act of Mar. 4, 1909, 35 Stat. 1097, 1107; 18 U. S. Code 93, 198.)

Retired officers while not on active duty are permitted to receive compensation for services rendered to or in behalf of any person, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party or directly or indirectly interested, before any department, court-martial, bureau, officer, or any civil, military, or naval commission, provided he does not represent any person in the sale of anything to the Government through the department in whose service he holds a retired status. (Sec. 113, Criminal Code, Act of Mar. 4, 1909, 35 Stat. 1109, as amended by Act of October 8, 1940; 18 U. S. Code 203.)

Section 27 of the Surplus Property Act of 1944, approved October 3, 1944 (58 Stat. 765, 781), provides that "No Person employed by any Government agency, including commissioned officers assigned to duty in such agency, shall, during the period such person is engaged in such employment or service, or for a period of two years after the time when such employment or service has ceased, act as counsel, attorney, or agent, or be employed as representative, in connection with any matter involving the disposition of surplus property by the agency in which such person was employed, if such person during his employment with such agency ratified, approved, or authorized the disposition of any surplus property pursuant to the provisions of this Act or recommended any such approval, authorization, or ratification as part of his official duties. Any person violating the provisions of this section shall be fined not more than \$10,000, or imprisoned for not more than one year, or both."

Where a retired officer has qualified for and accepted appointment to a civilian office or position under the Federal Government or the municipal government of the District of Columbia, or under any corporation the majority of the stock of which is owned by the United States, the combined rate of his compensation in such civilian office or position and his retired pay for or on account of commissioned services is limited by law to \$5,000 per annum, but if the retired rate of pay exceeds \$3,000, then the retired officer can only receive one pay and must therefore elect whether he will continue to receive his retired pay or the pay of the civilian office or position. Should he give up his retired pay while holding a civil office or position, he may again receive his retired pay when he relinquishes his civilian office or position. (Act of June 30, 1932, sec. 212, 47 Stat. 406, as amended by Act of July 15, 1940, sec. 3, 54 Stat. 761; 5 U. S. Code, sec. 59a.) An officer receiving retired pay of \$2,900 per annum and employed in a civilian office or position with a salary of \$2,800 per annum would be paid at a net rate of \$3,000 per annum. (12 Comp. Gen. 37, 47.)

The inhibition of subparagraph (a) of section 212, Act of June 30, 1932, supra, limiting the combined rate of compensation to \$3,000 per annum, "is not against the retaining of the retired status but is that 'no person holding a civilian office \*\*\* shall be entitled, during the period of such incumbency, to retired pay from the United States \* \* \* as a commissioned officer.' Also, that the right of election given under the statute is not as to whether he shall continue to hold the civilian office or position or to continue to hold his retired status, but is as to whether he shall accept the pay of the one or the pay of the other." (Comp. Gen. Aug. 9, 1932, A-43761.)

Commissioned officers who have been "retired for disability incurred in combat with an enemy of the United States", or pursuant to the Act of July 15, 1940 (54 Stat. 761; 38 U.S.C., sec. 582b) "for disabilities

resulting from an explosion of an instrumentality of war in line of duty during an enlistment or employment as provided in Veterans Regulation Numbered 1(a), part I, paragraph I", are excepted from the requirements of said section 212. The first quoted clause has been defined by the Comptroller General to apply to officers "retired for disability the direct result of injury from the instrumentalities of war employed by the enemy in combat with the forces of the United States," as, for example, where the disability necessitating retirement was directly due to inhaling poison gas during combat with an enemy of the United States. (Comp. Gen., Jan. 3, 1933, A-44756.)

Reserve officers, while employed on active duty, may be paid compensation by any person, firm, or corporation, provided that, prior to commencement of active duty, they were receiving compensation from such person, firm, or corporation. (Selective Training and Service Act of 1940, sec. 3(f), approved Sept. 16, 1940, 54 Stat. 887; 50 U.S.C. War, Appendix, sec. 303.)

#### EMPLOYMENT IN FIRMS DOING BUSINESS WITH THE FEDERAL GOVERNMENT.

#### OPINIONS

The Judge Advocate General has rendered advisory opinions as to what employment a retired officer of the Navy may legally accept with private firms doing business with the Government. Some of these opinions are as follows: A retired officer may be employed by the merchant marine; by a steamship company having mail contracts with the Government and by a steamship company enjoying certain Government loans for the construction of its ships. It was pointed out that the foregoing was a very general statement of the law on the subject and "would very possibly require exceptions or modifications to meet the facts of specific cases as they arise." (C.M.O. 2-1931, 14.) A retired officer may not participate in bids for subscriptions to magazines for vessels of the Navy under "Welfare and Recreation", one of the regular appropriations for the naval service. (C.M.O. 2-1935, 25.) In time of peace a retired officer may be employed under contract by the Navy Department as consultant. "While the Judge Advocate General is of the opinion that a contract for a retired officer's services under the above-stated conditions would be legal, there are decisions of the Comptroller General which would appear to hold to the contrary." (C.M.O. 11-1937, 27.) A retired officer may be employed on merchant vessels entering ports of belligerent countries. (C.M.O. 2-1939, 276.) The Neutrality Act, approved Nov. 4, 1939, made such employment unlawful until 4:30 P. M. E.S.T., Nov. 17, 1941, at which time, those sections of the Neutrality Act making such employment unlawful were repealed.) A retired officer may not accept an office from a foreign

government without the consent of Congress in view of Article I, Section 9, clause 8, of the Constitution. (C.M.O. 3 - 1934, 13.) He may not accept employment with a foreign government, (C.M.O. 1-1942, 258) nor may he be employed in the armed forces of a foreign state. (C.M.O. 4-1942, 116.)

The question of whether the treasurer of a corporation, a retired officer, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Navy or the Navy Department, any naval supplies or war material within the statute (Act of June 10, 1896, as amended, supra) is one of fact not for consideration by the Judge Advocate General. (C.M.O. 5-1939, 9.) The question of the legality of the appointment of a retired officer as a member of a local board is primarily one for determination by the appropriate Selective Service authorities. (C.M.O. 1-1941, 186.) The Navy Department has not issued and does not contemplate the issuance of rules and regulations relative to the practice of law by retired officers before Government agencies. (C.M.O. 1-1941, 179.) A retired officer may be required to perform jury duty by a state provided he is not performing Federal service which would be interfered with or obstructed by jury duty. (C.M.O. 1-1944, 118.)

"There is no general law which makes it illegal for a company in which a Government official is a stockholder and an officer to bid on and receive Government contracts for services or supplies from a department other than the one in which the official is functioning." (1929 L.R.N.A. 384.) There is no legal objection to a firm, owned by a retired officer of the Naval Reserve who is on the honorary retired list of the Naval Reserve without pay, bidding on a Navy contract for the sale of medical supplies to the Navy. (C.M.O. 3-1943, 101.)

A retired officer may enter into contracts for the purchase of Navy Surplus materials. "However, aside from any statutory prohibition, contracts between the Government and its employees are open to criticism for possible favoritism and preferential treatment; and this office (Comptroller General) often has expressed the view that such contracts should not be made except for the most cogent reasons." (C.M.O. 1-1944, 200, See also C.M.O. 2-1938, 181 and footnote 32 same case.)

Section 9 of the Hatch Act (18 U. S. Code 61h) which restrains political activities of any person or officer employed in the executive branch of the Federal Government does not apply to retired officers of the Army and Navy. (C.M.O. 2-1939, 284; Justice ltr to Capt. G. M. Adey, USN, Ret., Oct. 3, 1939; Atty. Gen. ltr to SecNav., Apr 26, 1940, Navy Dept. File OR P9-1(390109).) The Surplus Property Act of 1944 (50 U. S. Code, War appendix, Supp. V, 1636) is applicable to retired officers of the Navy. (C.M.O. 3-1945, 133.) Accordingly, retired officers of the Navy who have been assigned to a Government agency or department and who, during such assignment, have certified, approved or authorized the disposition of surplus property may not for a period of two years after the

termination of such assignment act in any representative capacity in connection with the disposition of surplus property by the a gency to which he had been assigned.

EMPLOYMENT BY FOREIGN FIRMS

In addition to the foregoing statutory restrictions on the civil employment of retired officers they must also govern themselves by the terms of Executive Order Number 5221 of November 11, 1929, which provides as follows:

"It is hereby ordered that no officer or employee in the executive branch of the United States Government regardless of whether he is on annual leave or leave without pay, shall be employed with or without remuneration by any foreign corporation, partnership, or individual that is in competition with American industry."

O. S. COLCLOUGH  
Judge Advocate General of the Navy

Pers-3254-ICP

IN ORDER TO ASSURE EXPEDITIOUS RECEIPT OF RETIRED PAY, THE FOLLOWING INFORMATION IS FURNISHED:

1. Two certified copies of orders releasing you from active duty, and two certified copies of SecNav's letter advising you that you have been placed on the retired list should be immediately forwarded to the Disbursing Officer carrying your active duty pay accounts.
2. Pay accounts of all retired officers, after release from active duty, are carried in the Field Branch, Bureau of Supplies and Accounts, (Special Payments Division), Cleveland, 15, Ohio, which office should be kept informed of your current correct address. Any question arising, regarding your retired pay, should be addressed to that office.

0258

# NOTICE

## VOCATIONAL REHABILITATION UNDER PUBLIC LAW 16, 78th CONGRESS.

1. For your information, Public No. 16, 78th Congress, provides in part as follows:- "Any person who served in the active military or naval service at any time after December 6, 1941, and prior to the termination of the present war, who is honorably discharged therefrom, and who has a disability incurred in or aggravated by such service for which pension is payable under laws administered by the Veterans Administration, or would be but for receipt of retirement pay, and is in need of vocational rehabilitation as may be prescribed by the Administrator of Veterans Affairs to fit him for employment consistent with the degree of disablement: Provided, that no course of training in excess of a period of four years shall be approved nor shall any training under this part be afforded beyond six years after the termination of the present war."

2. In the event you are interested in vocational rehabilitation, you may be entitled to this benefit from the Veterans Administration, Washington, D. C.,

3. The above notice is furnished in accordance with SecNav letter, JAG:J:HJM:amp S07 12 133 of 18 September 1943

0259

Pers-325-det  
9027

NAVY DEPARTMENT  
BUREAU OF NAVAL PERSONNEL  
Washington 25, D.C.

8 March 1949

From: Chief of Naval Personnel.

To : Captain Richard Waller Bates, USN.

Via: President,  
Naval War College,  
Newport, Rhode Island.

Subj: Retirement.

1. The Naval Retiring Board which recently convened in your case has decided that you are incapacitated for active service by reason of physical disability incurred in line of duty.
2. The Bureau of Naval Personnel has recommended to the Department that the report of the board be submitted to the Secretary for his action in such time that, if approved, your retirement will be effected on 1 May 1949.
3. Please furnish the Disbursing Officer having custody of your pay record two certified copies of this letter.
4. It is probable that official notice of the action will not reach you until some time subsequent to the date stated in paragraph two hereof.

/s/ T. B. Dabney

T. B. Dabney,  
By direction.

CC:  
Medical Officer in Command  
U. S. Naval Hospital,  
Newport, Rhode Island  
(For Disbursing Officer)

CERTIFIED A TRUE COPY

Captain R. W. Bates, USN

0260



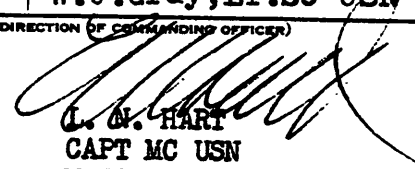


# NOTICE OF SEPARATION FROM U. S. NAVAL SERVICE

NAVPER-553 (REV. 8-45)

82-8

Date prepared

29 April 1949

1. SERIAL OR FILE NO.		2. NAME (LAST) (FIRST) (MIDDLE)		3. RATE AND CLASS/OR		5. PLACE OF SEPARATION	
RANK AND CLASSIFICATION		4. PERMANENT ADDRESS FOR MAILING PURPOSES				U.S. NAVAL HOSPITAL, NEWPORT, R.I.	
1. 9027		2. BATES, Richard Waller				6. CHARACTER OF SEPARATION	
3. Captain, USN		4. 727 Paru Street				Honorable. Retired.	
Alameda, California						7. ADDRESS FROM WHICH EMPLOYMENT WILL BE SOUGHT	
						Same as #4.	
8. RACE		9. SEX		10. MARITAL STATUS		11. U.S. CITIZEN (YES OR NO)	
W		M		S		Yes	
						12. DATE AND PLACE OF BIRTH	
						1-16-92 Alameda, Cal.	
13. REGISTERED		14. SELECTIVE SERVICE BOARD OF REGISTRATION		15. HOME ADDRESS AT TIME OF ENTRY INTO SERVICE			
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Not Registered		Same as #4.			
16. MEANS OF ENTRY (INDICATE BY CHECK IN APPROPRIATE BOX)		17. DATE OF ENTRY INTO ACTIVE SERVICE		18. NET SERVICE (FOR PAY PURPOSES)			
<input type="checkbox"/> ENLISTED <input type="checkbox"/> INDUCTED <input checked="" type="checkbox"/> COMMISSIONED		6-21-11		37-10-11			
DATE DATE DATE 6-5-15		19. PLACE OF ENTRY INTO ACTIVE SERVICE		20. QUALIFICATIONS, CERTIFICATES HELD, ETC.			
		Alameda, Cal.		Captain USN			
21. RATINGS HELD		22. FOREIGN AND/OR SEA SERVICE WORLD WAR II		23. SERVICE (VESSELS AND STATIONS SERVED ON)			
--		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		USS OHIO: USS MARYLAND: USS YORKTOWN: USS CINCIN-			
				NATI: USS ALABAMA: USS SPROSTON: USS MARYLAND:			
				52 USS RICHMOND: USS BUCHANAN: USS RAMAPO: USS			
				52 LONG: USS CLARK: USS MINNEAPOLIS: USS DETROIT:			
				52 USS LOUISVILLE: USS CALIFORNIA: USS TENNESSEE:			
				52 USS ACONTIUS			
IMPORTANT: IF PREMIUM IS NOT PAID WHEN DUE OR WITHIN THIRTY-ONE DAYS THEREAFTER, INSURANCE WILL LAPSE. MAKE CHECKS OR MONEY ORDERS PAYABLE TO THE TREASURER OF THE U. S. AND FORWARD TO COLLECTOR'S SUBDIVISION, VETERAN'S ADMINISTRATION, WASHINGTON 25, D. C.							
25. KIND OF INSURANCE		26. EFFECTIVE MONTH OF ALLOTMENT DISCONTINUANCE		27. MO. NEXT PREMIUM DUE		28. AMOUNT OF PREMIUM DUE EACH MONTH	
---		---		---		---	
29. TOTAL PAYMENT UPON DISCHARGE		30. TRAVEL OR MILEAGE ALLOWANCE INCLUDED IN TOTAL PAYMENT		31. INITIAL MUSTERING OUT PAY		32. NAME OF DISBURSING OFFICER	
\$1491.05		; none		none		yes W.J. Gray, LT.SC USN	
33. REMARKS				34. SIGNATURE (BY DIRECTION OF COMMANDING OFFICER)			
Navy Cross Asiatic-Pacific - 2 stars Legion of Merit (3) Yangtze Service Navy Unit Commendation Philippine Liberation Mexican War Ribbon - 2 stars WW#1 V. Ribbon WW#2 Victory Medal American Defense - 1 star American Theatre Ribbon				 L. W. HART CAPT MC USN Medical Officer in Command			
35. NAME AND ADDRESS OF LAST EMPLOYER				37. DATES OF LAST EMPL'T.		38. MAIN CIVILIAN OCCUPATION AND D. O. T. NO.	
U.S. Navy				FROM 6-21-11 TO 5-1-49		--	
39. JOB PREFERENCE (LIST TYPE, LOCALITY, AND GENERAL AREA)				40. PREFERENCE FOR ADDITIONAL TRAINING (TYPE OF TRAINING)			
Undecided				Undecided			
41. NON-SERVICE EDU. (YRS. SUCCESSFULLY COMPLETED)				42. DEGREES			
GRAM. 8 H. S. 4 COLL. 0				-			
43. MAJOR COURSE OR FIELD				44. VOCATIONAL OR TRADE COURSES (NATURE AND LENGTH OF COURSE)			
-				None			
45. RIGHT INDEX FINGERPRINT		46. OFF DUTY EDUCATIONAL COURSES COMPLETED		47. DATE OF SEPARATION		48. SIGNATURE OF PERSON BEING SEPARATED	
		None		1 May 1949			

Mc

0261

## NAVPER-329 (NEW 10-46)

## INSTRUCTIONS

- Auth: CL 89-47

NAME (Last)	(First)	(Middle)	RANK	FILE No.
BATES	RICHARD	W.	CAPT., USN	9027

Credit originally established or brought forward from previous record, 60 days **31 August 1946**

[illegible]

0262

1. NAME <b>BATES, RICHARD, W.</b>				2. SERVICE NO. <b>0009027</b>	
3. RATE ABBREVIATION <b>Capt</b> <del>6000</del>		4. DESIGNATOR <b>LINE 11000</b>		5. DESIGNATOR QUALIFICATIONS	
7. DUTY ASSIGNED <b>DUT</b>		8. DATE ENLISTED <b>SEVEN SIX</b>		9. PLACE ENLISTED <b>USN</b>	
10. DATE ENLISTMENT EXPIRES <b>RWD</b>		11. NEXT LONGEVITY <b>MAXIMUM</b>		12. FOR YEARS <b>MAXIMUM</b>	
14. SEX <b>M</b>		15. DATE OF BIRTH <b>1/16/92</b>		17. TOTAL AWARDS	
16. LIMITED DUTY		18. LANGUAGE ABILITY <b>FRENCH, SPANISH</b>		19. COLOR <b>WHITE</b>	
20. <b>L2 This involves only actual control of Aircraft.</b>					
19. CURRENT TOUR DATE <b>6/5/46</b>		21. ACTIVE DUTY DATE <b>6/5/15</b>		22. DEPENDENTS <b>----</b>	
23. DATE		24. CODE		25. COMBAT QUALIFICATION, SPECIAL QUALIFICATION, SERVICE SCHOOL COMPLETED	
3					
26.		27.		28.	
29.		30.		31.	
32.		33.		34.	
35. UNIT ATTACHED		36. RECEIVED FROM <b>U. S. NAVAL WAR COLLEGE, NEWPORT, R. I.</b>		37. RECEIPT AUTHORITY <b>HOSP. MARE ISLAND, CALIFORNIA</b>	
38. DATE RECEIVED <b>9/12/46</b>		39. RECEIVED FROM <b>HOSP. MARE ISLAND, CALIFORNIA</b>		40. RECEIPT AUTHORITY <b>HUPERS DES.2513532 of</b>	
<b>25 JULY 1946</b>					

0263

DEPARTMENT OF THE NAVY  
BUREAU OF NAVAL PERSONNEL  
WASHINGTON 25, D. C.

9027/1100  
Pers-31156-AM-2  
31 May 1949

From: The Chief of Naval Personnel  
To: Commodore Richard W. BATES, USN, Retired  
727 Paru Street  
Alameda, Calif.

Subj: Recall to active duty

Ref: (a) Section 412(a) Public Law 381, 80th Congress

1. You are hereby recalled to active duty in time to proceed to San Francisco, Calif., and report on 1 July 1949 to the Commandant, Twelfth Naval District, for a physical examination to determine your fitness for active duty. A report of the physical examination will be forwarded to the Bureau of Medicine and Surgery.
2. If found not physically qualified, you will immediately return to the above address and upon arrival consider yourself released from active duty.
3. If found physically qualified, you will further proceed to Newport, R.I., and report to the President, Naval War College, for temporary duty.
4. Upon completion of this temporary duty and when directed by the President, Naval War College, on 1 November 1949 you will regard yourself detached; will proceed to your home and upon arrival regard yourself relieved of all active duty.
5. In accordance with the provisions of reference (a), your recall to active duty for this assignment will be as a Commodore, USN, Retired.

CC: J. W. ROPER  
ComTwelve Deputy Chief of Naval Personnel  
Pres., NavWarCollege  
Newport, R.I. 20848  
ComNavBase, Newport, R.I.  
ComOne  
CNO (OP 29)

-----  
Jacket Copy pers-311s 311s4 82212 3118-F 31156 321 311H 23 1B  
-----

-----  
DPTO, 12ND SAN FRANCISCO, CALIFORNIA 1 July 1949 FURN TRANSP AS FOLLOWS:  
TR10,792,215 (AIR ONE) SAN FRAN., CALIF. TO PROVIDENCE RHODE ISLAND VIA  
UAL(NY)EAL: EST COST AIR \$165.75 A. E. JACOBSON, CDR S USNR

0264

1 July 1949

1st Endorsement

From: Commandant TWELFTH Naval District  
To: Commodore Richard W. BATES, USN, Retired  
Subj: Recall to Active Duty

1. Reported this date. Carry out basic orders. Mare Island Naval Hospital is hereby designated place for purpose of taking physical examination.

A. G. COOK, JR.  
Chief of Staff

END=2  
NHL5/CJH:ep

U.S. NAVAL HOSPITAL, MARE ISLAND,  
VALLEJO, CALIF.  
1 July 1949

1. Reported and examined this date.

2. This recently physically retired officer is obviously not physically qualified for general duty. He is physically qualified for temporary limited duty of a sedentary nature only, for the short period indicated in the above orders.

C. J. HUTCHINSON, CAPT. MC USN  
Senior Member Board of Medical  
Examiners

NC3/P16-3/00/SCB:z  
Naval War College  
Newport, R. I.  
6 July 1949

3rd End on BuPers orders 20848  
Pers-31156-AM-2 dtd  
31 May 1949

From: President, Naval War College  
To: Commodore Richard W. Bates, USN, Retired

Subj: Recall to active duty

1. Reported. No government quarters are available for your occupancy at this station.

Left: Oakland, Calif. 2130 7/4/49

Arr: Newport, R.I. 2330 7/5/49

Travel performed via

commercial air on T/R to

Providence, R.I., commercial

bus at own expense from

Providence, R.I. to Newport, R.I.

R. W. BATES, Commo., USN, Retired

S. G. BARCHET

Captain, USN

Secretary, Naval War College

By direction

0265

NAVAL WAR COLLEGE  
Newport, R.I.

SCB:z  
NC3/P16-3/00  
Ser 1979-49  
27 Oct 1949

From: President, Naval War College  
To: Commodore Richard W. Bates, USN (Retired)

Subj: Modification of orders

Ref: (a) BuPers disp 261801Z of Oct 1949

1. Reference (a) is quoted herewith:

"FM BUPERS PERS 31156  
TO NAVWARCOLLEGE NPT RI  
INFO COMNAVBASE NPT RI/COMONE

COMO RICHARD W BATES RET 9027/1100 ORDMOD 31 MAY DIRDET ON 30 DEC  
INSTEAD ON 1 NOV X REMAINDER BASIC ORDERS CONTINUE IN EFFECT."

2. Translation of the text of the above dispatch follows:

Commodore Richard W. Bates, Retired, 9027/1100, orders 20848 of 31 May 1949 are hereby modified; when directed by the President, Naval War College, detached from temporary limited duty, and from such other duty as may have been assigned, on 30 December 1949 instead on 1 November 1949. Remainder basic orders continue in effect.

3. Certified to be original dispatch orders.

4. Delivered for compliance.

Copy to: C. R. BROWN  
BuPers Chief of Staff

-----  
Received at 0900, 27 Oct 1949.

R. W. Bates  
Como, USN, Retired

-----  
CERTIFIED A TRUE COPY:

\_\_\_\_\_  
Como, USN, Retired

0266

NAVAL WAR COLLEGE  
NEWPORT, R.I.

SGB:z  
NC3/PL6-3/00  
Ser 18-50  
29 Dec 1949

From: President, Naval War College  
To: Commodore Richard W. BATES, USN (Retired)

Subj: Modification of orders

Ref: (a) BuPers disp 281723Z Dec 1949

1. Reference (a) is quoted herewith:

\*FM: BUPERS PERS 311  
TO: NAVWARCOL NPT  
INFO: COMNAVBASE NPT/COMONE

COMO RICHARD W BATES RET 9027/1100 FURORDMOD 31 MAY DIRDET ON  
30 JUNE 1950 INSTEAD DIRDET ON 30 DEC X CARBASORD".

2. Translation of the text of the above dispatch follows:

Commodore Richard W. Bates, Retired, 9027/1100, orders 20848 of  
31 May 1949 are further modified; when directed by the President,  
Naval War College, detached from temporary limited duty, and from  
such other duty as may have been assigned, on 30 June 1950 instead  
when directed detached on 30 December 1949. Carry out unexecuted  
portion basic orders.

3. Certified to be original dispatch orders.

4. Delivered for compliance.

Copy to:  
BuPers

C. R. BROWN  
Chief of Staff

-----  
Orders received at 0930, 29 Dec 1949.

R. W. BATES  
Como., USN (Ret.)

-----  
CERTIFIED A TRUE COPY:  
\_\_\_\_\_

0267

DEPARTMENT OF THE NAVY  
Bureau of Naval Personnel  
Washington 25, D.C.

AIR MAIL

9027/1100  
Pers-B-AM-2  
26 June 1950

From: Chief of Naval Personnel  
To: Commodore Richard W. EATES, USN  
Naval War College  
Newport, R.I.  
Via: President

Subj: Modification of orders

1. Your orders of 31 May 1949 are further modified in that you will report to the President, Naval War College, Newport, R.I., for temporary duty in connection with analyses of Naval engagements during World War II. This duty will continue for an indeterminate period.
2. Your active duty will be limited to that specified in paragraph one.

Copy to:

ComOne

ComNavBase, NPT

F. W. MCMAHON  
Deputy Chief of Naval Personnel  
27305

-----  
Jacket Copy Pers-B111s B111s3 E111a B11183 B B13a B11 B111n  
-----

DMM:mc  
NC3/P16-3/00  
29 June 1950

FIRST ENDORSEMENT on BuPers modification 27305 of 26 June 1950

From: President, Naval War College  
To: COMO Richard W. BATES, USN  
Subj: Modification of orders

1. Delivered.

T. R. COOLEY  
Acting  
-----

Received at 1030 on 29 June 1950.  
CERTIFIED A TRUE COPY:

R. W. BATES  
COMO, USN (Ret)

0268



9027/1103  
Pers-B1131-cwt-2  
29 April 1958

From: Chief of Naval Personnel  
To: Commodore Richard W. BATES, USN, Retired  
Naval War College  
Newport, Rhode Island  
Via: President, Naval War College

Subj: Modification of orders

1. Your orders of 31 May 1949 are further modified in that when directed by the President, Naval War College, Newport, Rhode Island on 31 July 1958, you will regard yourself detached from all duties and will proceed to your home. You will regard yourself relieved of active duty effective at 2400 on date of detachment.
2. Prior to final detachment you will obtain a physical examination.
3. It is requested that you report your mail address in accordance with Art. B-2206 (5) and (6), Bureau of Naval Personnel Manual.
4. Cost of travel is chargeable to 1791453.18, MPN 1959, object class 029, expenditure account 74131, Bureau Control 22/31600.

Copy to:  
PRES NAVWARCOL NPT  
FOR DISBOFF CARRYING ACCTS  
NAVFINCEN CLEVE (SPD) (2)  
COMTWELVE  
COMNAVB NPT  
COMONE  
OP 02E (2)

H. P. SMITH

020848(4)

0269

9027/1103  
25 Jul 1958

FOURTH ENDORSEMENT on BuPers orders 20848 of 31 May 1949 as modified by BuPers msg 261801Z Oct 1949, BuPers msg 281723Z Dec 1949, BuPers modification 27305 of 26 Jun 1950 and BuPers modification 020848(4) of 29 Apr 1958

From: Commanding Officer, U. S. Naval Hospital, Newport, R. I.  
To: Commodore Richard W. BATES, USN, Retired

Subj: Recall to active duty

1. Examined and found physically qualified for separation in accordance with Article C-10412, BuPers Manual. Your condition is substantially the same as when you were voluntarily recalled to active duty on 1 July 1949.

E. B. COYL

JAMES A. McLAUGHLIN  
By direction

0270

9027/1103  
JAL:z  
31 Jul 1958

FIFTH ENDORSEMENT on BuPers orders 20848 of 31 May 1949 as modified by  
BuPers msg 261801Z Oct 1949, BuPers msg 281723Z  
Dec 1949, BuPers modification 27305 of 26 Jun 1950  
and BuPers modification 020848(4) of 29 Apr 1958

From: President, Naval War College  
To: Commodore Richard W. BATES, USN, Retired

Subj: Recall to active duty

1. Detached at 1630, 31 July 1958, with great regret. You will regard yourself relieved of all active duty effective at 2400, 31 July 1958, and transferred to inactive duty on the Retired List of the U. S. Navy. Reimbursement for travel time subsequent to detachment will be in accordance with detailed instructions contained in the Navy Comptroller Manual.
2. As verified by your Officers Leave Record (NavPers-329) you earned leave credit computed through the effective date of separation is sixty (60) days.
3. You have certified that you were ordered to active duty from Alameda, California, and that your home of record when ordered to active duty was Alameda, California.
4. You have stated that upon release from active duty your "present address," the place at which you may be reached any time by orders or other official communication will be:

12 Mount Vernon St.  
Newport, R. I.

Inform the Chief of Naval Personnel and the Commandant of the Naval District in which your "present address" as set forth above is located of any change in such address. Such notification shall be forwarded to the Bureau of Supplies and Accounts, Field Branch (Special Payment Division), Cleveland 15, Ohio, in order that your retired checks may not be delayed due to incorrect address.

S. H. INGERSOLL

Copy to:  
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